

**REMARKS**

Claims 1-3, 5-10, 13-21, 25-29 and 32-38 are pending in this application. By this Amendment, claims 1-2, 6, 8, 10, 14, 16, 21 and 25-28 are amended, claims 33-38 are added and claims 22-24 and 30-31 are cancelled without prejudice or disclaimer. Various amendments are made to the claims for clarity and are unrelated to issues of patentability.

The Office Action rejects claims 1-32 under 35 U.S.C. §103(a) over U.S. Patent Publication 2004/0147284 to Laumen et al. (hereafter Laumen) in view of U.S. Patent Publication 2004/0185883 to Rukman. The rejection is respectfully traversed with respect to the pending claims.

Independent claim 1 recites receiving a first short message service (SMS) message of a multimedia message service (MMS) notification message at a mobile station (MS), and performing a flag setting in the MS after receiving the first SMS message of the MMS notification message, the flag setting to restrain radio area update (RAU) processing. Independent claim 1 also recites receiving a second SMS message of the MMS notification message at the MS, wherein performing the flag setting occurs prior to receiving the second SMS message at the MS, the second SMS message of the MMS notification message being different than the first SMS message of the MMS notification message.

The applied references do not teach at least these features of independent claim 1. More specifically, the Office Action (on page 2) appears to reference Laumen as disclosing a majority of the features of independent claim 1. Applicant believes that the paragraphs on page 3 of the

Office Action are out of order. See, for example, the third to fifth paragraphs on page 3 of the Office Action.

Laumen does not teach or suggest receiving a first SMS message of a MMS notification message at a mobile station and receiving a second SMS message of the MMS notification message at the MS. The Office Action appears to cite Laumen's FIG. 3 and paragraphs [0030], [0042] and/or Rukman's FIGs. 2-6 and paragraphs [0034], [0036], [0041] and [0047] for the claimed features. However, neither of these references teaches or suggests a MMS notification message that is formed of a first SMS message and a second SMS message. More specifically, Laumen does not teach or suggest receiving a first SMS message of a MMS notification message at a MS and receiving a second MMS message of the MMS notification message at the MS. Rukman does not teach or suggest these missing features of independent claim 1.

Because neither of the applied references relates to first and second SMS messages of a MMS notification message where the second SMS message being different than the first SMS message, there is no suggestion for the other features of independent claim 1. For example, there is no suggestion in the prior art for performing a flag setting in the MS after receiving the first SMS message of the MMS notification message. Further, there is no suggestion in the prior art for performing the flag setting prior to receiving the second SMS message at the MS.

The Office Action also appears to rely on Rukman as teaching threaded SMS messages with data of MMS type. However, this does not teach or suggest the respective features recited in independent claim 1. For example, this does not suggest first and second SMS messages of a MMS notification message where the second SMS message is different than the first SMS

message. For at least the reasons set forth above, Laumen and Rukman do not teach or suggest all the features of independent claim 1. Thus, independent claim 1 defines patentable subject matter.

Independent claim 10 recites a method for receiving a wireless message in a mobile station that receives two SMS messages constituting one MMS notification message from a network through different radio resource connections. Independent claim 10 recites that a routing area update (RAU) is controlled based on the received SMS messages of the one MMS notification message and based on a flag setting of the mobile station, wherein the RAU is prevented from being performed at a time of the flag setting, and the RAU is performed after changing the flag setting. Independent claim 10 also recites that the flag setting occurs after receiving a first one of the two SMS messages constituting the one MMS notification message and the flag setting occurs prior to receiving a second one of the two SMS messages constituting the one MMS notification message.

The applied references do not teach or suggest at least these features of independent claim 10. More specifically, Laumen and Rukman do not teach or suggest that the flag setting occurs after receiving a first one of the two SMS messages constituting the one MMS notification message. The Office Action cites Laumen's paragraphs [0030] and [0042] for features relating to flag setting. However, the cited paragraphs do not relate to flag setting occurring after receiving a first one of the two SMS messages and the flag setting occurs prior to receiving the second one of the two SMS messages. For at least these reasons, the applied

references do not teach or suggest all the features of independent claim 10. Thus, independent claim 10 defines patentable subject matter.

Independent claim 16 recites releasing a radio resource (RR) connection when a first SMS message of the one MMS notification message is received at a mobile station, and performing a flag setting when the RR connection is released. Still further, independent claim 16 recites receiving a second SMS message of the one MMS notification message at the mobile station, and releasing the flag setting after receiving the second SMS message, wherein performing the flag setting occurs after receiving the first SMS message at the mobile station and prior to receiving the second SMS message at the mobile station.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 16. More specifically, the applied references do not teach or suggest the two SMS messages constituting one MMS notification message. Still further, the applied references do not teach or suggest that performing a flag setting occurs after receiving the first SMS message at the mobile station and prior to receiving the second SMS message at the mobile station. When discussing previous dependent claim 31, the Office Action references Laumen's paragraphs [0036] and [0042] as well as Rukman's paragraphs [0034], [0036], [0041] and [0047]. However, these sections do not suggest the claimed features. Thus, the applied references do not teach or suggest all the features of independent claim 16. Thus, independent claim 16 defines patentable subject matter.

Independent claim 21 recites receiving a first SMS message at a mobile terminal, and determining whether the first SMS message comprises part of a MMS notification message. Still

further, independent claim 21 recites releasing a radio resource connection when the first SMS message is determined to be part of the MMS notification message, and setting a flag based on the determination regarding the first SMS message. Independent claim 21 also recites receiving a second SMS message at the mobile terminal and changing the flag setting after receiving the second SMS message at the mobile station.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 21. Still further, the applied references do not teach or suggest the respective features relating to releasing the radio resource connection when the first SMS message is determined to be part of the MMS notification message, receiving the second SMS message at the mobile terminal, and changing the flag setting after receiving the second SMS message at the mobile terminal. Rukman and Laumen do not teach or suggest at least these features. Thus, independent claim 21 defines patentable subject matter at least for this reason.

For at least the reasons set forth above, each of independent claims 1, 10, 16 and 21 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

For example, dependent claim 6 recites determining whether the SMS message is a general SMS message or a MMS notification message based on data included in a header of the first SMS message received at the MS. When discussing this feature, the Office Action cites

Laumen's paragraphs [0030] and [0042] as well as Rukman's paragraph [0053]. However, these cited paragraphs do not relate to any type of determination of the type of message and/or this determination being based on data included in a header of the first SMS message received at the MS. Thus, dependent claim 6 defines patentable subject matter at least for this additional reason.

Dependent claim 27 recites releasing the flag setting in response to receiving the second SMS message at the MS and performing the RAU processing after releasing the flag setting. The Office Action cites Laumen's paragraphs [0030] and [0042] as well as Rukman's paragraphs [0034], [0036], [0041] and [0047]. However, these cited paragraphs do not relate to releasing a flag setting in response to receiving the second SMS message at the MS. Thus, dependent claim 27 defines patentable subject matter at least for this additional reason.

Still further, dependent claim 28 recites forming one MMS notification message at the MS from the received first SMS message and the received second SMS message. See also dependent claim 26. The Office Action cites Rukman's paragraphs [0034], [0036], [0041] and [0047] as teaching the use of threaded SMS messages. However, this does not relate to forming one MMS notification message at a MS. Thus, Rukman does not teach or suggest the claimed features. Accordingly, dependent claims 26 and 28 define patentable subject matter at least for this additional reason.

Still further, dependent claim 33 recites dividing the MMS notification message into the first SMS message and the second SMS message prior to receiving the first SMS message at the

Serial No. **10/824,360**  
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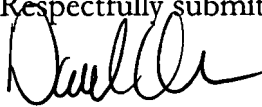
Docket No. **P-0649**

MS. See also dependent claims 34-36. The applied references do not teach or suggest dividing the MMS notification message into the first SMS message and the second SMS message. Neither Rukman nor Laumen teach or suggest a first and second SMS messages from a divided MMS notification message. Thus, dependent claims 33-36 define patentable subject matter at least for these additional reasons.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-3, 5-10, 13-21, 25-29 and 32-36 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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